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VIA ECF

The Honorable Hector Gonzalez, U.S.D.J.
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Kapoor v. Michael Mathews Jewelers of Kings Plaza, LLC et al.,
1:22-cv-5027 (HG)

Dear Judge Gonzalez:

This firm represents the Plaintiff in this Fair Labor Standards Act and New York Labor Law matter. We submit this letter to respectfully request (i) an extension of the deadline to serve the Defendants under Fed. R. Civ. P. 4(m) and (ii) for a second extension of the deadline to submit the civil case management plan.

As background, two of the corporate defendants were served on October 6, 2022 (Doc. Nos. 7 and 8), making their responsive pleadings due by October 25. Individual Defendant Arif Mahmud was served on November 8, making his responsive pleading due by November 29 (Doc. No. 10). To date, no attorney representing these Defendants has contacted us, nor filed a Notice of Appearance with the Court.

Plaintiff, meanwhile, has actively been attempting to serve the other Defendants: Mohammad Butt, Naila Butt, Laraib Butt, Zuha Butt and Solomon Mattatov. Plaintiff first attempted to serve them on September 22 but was unsuccessful. After identifying new addresses for them, Plaintiff attempted, again, to serve them on November 7 but was again unsuccessful. Plaintiff has since identified new addresses for these Defendants. Plaintiff, accordingly, respectfully requests a 30-day extension to serve the Defendants as good cause exists for this extension and Plaintiff has diligently been attempting to serve them. *See Maitland v. Lunn*, 1:14-cv-5938 (JS)(AKT), 2017 U.S. Dist. Lexis 40467, at * 16 (E.D.N.Y. Mar. 21, 2017) (explaining good cause exists to extend the deadline to serve a complaint if the delay is due to circumstances outside of plaintiff's control).

Given that the served Defendants have yet to appear and some Defendants have not been served, Plaintiff also respectfully requests that deadline to submit the civil case management plan be extended by 60 days, thereby allowing time for the remaining Defendants to be served and file responsive pleadings.



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We appreciate the Court's attention to this submission and we are available to answer any questions.

Respectfully submitted,
LIPSKY LOWE LLP

s/ Douglas B. Lipsky
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